

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Heinz FOCKE et al

Appln. No. 10/540,031

Group Art Unit: 3721

Confirmation No.: 8873

Examiner: NOT YET KNOWN

Filed: June 22, 2005

For: DEVICE FOR PRODUCING CIGARETTE PACKAGES

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO/SB/08 A & B (modified) and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of GB 2 104 035 is submitted herewith. In accordance with 37 C.F.R. § 1.98(a)(2)(i), the undersigned is not submitting a copy of the cited US '538 patent document. Copies of GB 2099 783 and GB 1 010 218 were previously cited in the IDS filed on June 22, 2005.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

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on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Applicant encloses a copy of a TORTA Research S.r.l. letter, received in the EPO on July 15, 2006, for Applicant's counterpart European patent application, and citing the listed documents.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

/John H. Mion/
John H. Mion
Registration No. 18,879

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
(202) 663-7901

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: August 15, 2006